

EXHIBIT 16

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

In re: §
§
ORLY GENDER § Case No. 19-10926-TMD
(Debtor) § (Chapter 7)

GLOBAL NOTES, METHODOLOGY AND SPECIFIC
DISCLOSURES REGARDING THE DEBTOR SCHEDULES OF
ASSETS AND LIABILITIES AND STATEMENT OF FINANCIAL AFFAIRS

Introduction

On July 12, 2019 (the “*Petition Date*”), Orly Genger (“Debtor”) filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code (the “*Bankruptcy Code*”).

Pursuant to the requirements of Bankruptcy Code Section 521 and Rule 1007 of the Federal Rules of Bankruptcy Procedure (the “*Bankruptcy Rules*”), the Debtor, with the assistance of her counsel and accountants, has filed her Schedules of Assets and Liabilities (the “*Schedules*”) and a Statement of Financial Affairs (the “*Statement*”) with the United States Bankruptcy Court for the Western District of Texas (the “*Bankruptcy Court*”).

In reviewing and signing the Schedules and Statement, Debtor has relied upon the information in books and records as well as information obtained from third parties.

These *Global Notes, Methodology and Specific Disclosures Regarding the Debtors’ Schedules of Assets and Liabilities and Statements of Financial Affairs* (the “*Global Notes*”) pertain to, are incorporated by reference in, and comprise an integral part of each of the Debtor’s Schedules and Statement. The Global Notes should be referred to and reviewed in connection with any review of the Schedules and Statement.

The Schedules and Statement do not purport to represent financial statements prepared in accordance with Generally Accepted Accounting Principles in the United States (“*GAAP*”), nor are they intended to be fully reconciled with the financial statements of the Debtor. Additionally, the Schedules and Statement contain unaudited information that is subject to further review and potential adjustment, and reflect the Debtor’s best and good faith efforts to report the assets and liabilities fully and accurately. Certain of the assets are difficult or impossible to value in their current condition or configuration and are listed as “unknown” because the valuation of such assets is speculative or subject to widely divergent valuation methodologies. In certain instances, the inability to opine as to value results (as noted) in a \$0 value for the purpose of the assets summaries. While Debtor does not believe that all such assets have \$0 value, the listing of a specific dollar amount would be misleading under the circumstances. Debtor will, as more

valuation information becomes available, amend the Schedules and Statement of Affairs to reflect more likely values.

In preparing the Schedules and Statement, the Debtor has relied upon financial data derived from books and records that were available at the time of such preparation and information that was provided by third parties. Although the Debtor has made reasonable efforts to ensure the accuracy and completeness of such financial information, inadvertent errors or omissions, as well as the discovery of conflicting, revised or subsequent information, may cause a material change to the Schedules and Statement. Thus, the Debtor is unable to warrant or represent the Schedules and Statement are without inadvertent errors, omissions or inaccuracies. Accordingly, the Debtor reserves all of her rights to amend, supplement or otherwise modify the Schedules and Statement as is necessary and appropriate. Notwithstanding the foregoing, the Debtor shall not be required to update, amend or supplement the Schedules and Statement, but reserves the right to do so.

Global Notes and Overview of Methodology

Reservation of Rights. Nothing contained in the Schedules and Statement shall constitute a waiver of the Debtor's rights or an admission with respect to her chapter 7 bankruptcy case.

Net Book Value of Assets. It would be prohibitively expensive and unduly burdensome and to obtain current market valuations for all of the assets. In some instances, such a valuation would be impossible. Accordingly, unless otherwise indicated, the Debtor's Schedules and Statement reflect the Debtor's best analysis of market value at the time of filing.

Recharacterization. Notwithstanding the Debtor's commercially reasonable best efforts to properly characterize, classify, categorize or designate certain claims, assets and other items reported in the Schedules and Statement, the Debtor may nevertheless have improperly characterized, classified, categorized, designated or omitted certain items. Accordingly, the Debtor reserves all of her rights to recharacterize, reclassify, recategorize, redesignate, add or delete items reported in the Schedules and Statement at a later time as is necessary and appropriate, as additional information becomes available.

Classifications. Listing a claim on (a) Schedule D as "secured," or (b) Schedule E/F as "unsecured" or "does not constitute an admission by the Debtor of the legal rights of the claimant or a waiver of the Debtor's right to recharacterize or reclassify such claims or to setoff of such claims.

Claims Description. Schedules D and E/F permit the Debtor to designate a claim as "disputed," "contingent" and/or "unliquidated." Any failure to designate a claim on a given Debtor's Schedules as "disputed," "contingent" or "unliquidated" does not constitute an admission by the Debtor that such amount is not "disputed," "contingent" or "unliquidated," or that such claim is not subject to objection. The Debtor reserves all of her rights to dispute, or assert offsets or defenses to, any claim reflected on their respective Schedules and Statement on any grounds, including liability or classification. Additionally, the Debtor expressly reserves all of her rights to subsequently designate such claims as "disputed," "contingent" or "unliquidated." Moreover,

listing a claim does not constitute an admission of liability by the Debtor. Third parties have asserted, in various litigation, that Debtor may have claims that the Debtor does not believe exist. To the extent known, such alleged claims have been listed and have been designated in such a manner to disclose, for notice purposes, the alleged claims but do not constitute an admission that such claim(s) exist. Due to the complexity and magnitude of pre-petition litigation, additional claims may exist that Debtor is not currently aware of, and Debtor reserves the right to further list such claims and to dispute the existence of claims that third parties assert.

Causes of Action. Despite considerable and reasonable efforts, and due to the complexity and magnitude of pre-petition litigation, the Debtor may not have identified and/or set forth all of her (filed or potential) causes of action against third parties as assets in her Schedules and Statement. The Debtor reserves all of her rights with respect to any causes of action against third parties and nothing in the Global Notes or the Schedules and Statement shall be deemed a waiver of any such causes of action which are expressly reserved.

Summary of Significant Reporting Policies. The following is a summary of significant reporting policies:

- a. **Undetermined Amounts.** The description of an amount as “unknown,” “TBD” or “undetermined” is not intended to reflect upon the materiality of such amount.
- b. **Totals.** All totals that are included in the Schedules and Statement represent totals of all known amounts. To the extent there are unknown or undetermined amounts, the actual total may be different than the listed total. Additionally, the existence of values determined to be “unknown” at this time may reflect asset values as \$0, even though such assets may have value.

Global Notes Control. In the event that the Schedules and Statement differ from the foregoing Global Notes, the Global Notes shall control.

Specific Disclosures with Respect to the Debtors' Schedules

Schedule I and J - Debtor and her spouse have a pre-marital agreement that has been confirmed by a court of competent jurisdiction which negates any community property. Additionally, Debtor's obligations are not consumer obligations as defined in 11 U.S.C. §101 (8), negating the application of the "Means Test". Schedules I and J request information on the Debtor's non-filing spouse's financial assets and income. Such information is not available to the Debtor, and is, accordingly not listed. Debtor's spouse has paid all of Debtor's regular living expenses from his separate property for a period of time, and those amounts are scheduled both as liabilities and as "income" to the Debtor for the purpose of these schedules.

Schedule A/B - Debtor owns an undivided interest in a condominium property with her non-filing spouse which was granted by gift, but has no parking rights or other contractual rights with respect to that property. To the extent that she is unable to value what an undivided interest would be in such a property, it is scheduled as "Unknown" and shows as \$0 in summary reflections of values. Debtor is unable to value this interest due to the nature of it. The amount reflected for this property as the "current value" is based upon the Travis County Appraisal District value for the entire property, not Debtor's undivided one half interest. Such value designation is also reflected in her exemption elections in the same fashion.

Schedule A/B - Debtor has listed the value of her personal property items, such as household goods, wearing apparel, electronics based upon the information that was available for such items by a review of public information. In the absence of other market information, Debtor has estimated the values at 10% of the purchase price where known.

Schedule A/B - Debtor has scheduled a number of claims that are contingent and unliquidated. Additionally, Debtor has identified claims that third parties, in various litigation, may have suggested that she owns (and which Debtor does not agree exist). Given the nature of the claims and the length and magnitude of pre-petition litigation, Debtor cannot be certain all such claims which third parties assert she may have the right to assert have been identified, and reserves the right to amend or supplement these schedules to the extent that they are subsequently identified. Debtor is currently unable to value these claims individually or collectively due to the inability to estimate the cost of asserting them and the likely success or collectability of such claims, and as a consequence, has listed the value collectively as "unknown". Such claims may potentially also offset claims asserted by various creditors, and Debtor has attempted to reflect such offset rights in the Schedules as filed.

[Remainder of page intentionally left blank.]

Fill in this information to identify your case and this filing:

Debtor 1	<u>Only</u>	<u>Genger</u>	
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>19-10926</u>		

☐ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
☒ Yes. Where is the property?

1.1.
**210 Lavaca St., Unit 1903, Austin, TX
78701**

**Condominium
1/2 undivided interest as separate
property**

Travis
County

What is the property?

Check all that apply.

- ☐ Single-family home
☐ Duplex or multi-unit building
☒ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☒ Other See description above

Who has an interest in the property?

Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number: _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
<u>\$2,466,974.00</u>	<u>Unknown</u>

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

Homestead - Separate prop

☐ Check if this is community property (see instructions)

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here..... →

\$0.00*

*Valuation shows as \$0 because value is unknown.

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

- ☒ No
☐ Yes

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

- ☒ No
☐ Yes

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....

\$0.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

- ☐ No
☒ Yes. Describe.....

See attached Exhibit 1

\$2,075.00

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

- ☐ No
☒ Yes. Describe.....

See attached Exhibit 2

\$795.00

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

- ☐ No
☒ Yes. Describe.....

Alfredo Jaar (chilean born 1956). Searching for Gramsci, 2004. Inkjet print with silkscreen text on paper, 22 x 30 in (55.9 x 76.2 cm)

\$1,000.00

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

- ☒ No
☐ Yes. Describe.....

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

- ☒ No
☐ Yes. Describe.....

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

- ☐ No
☒ Yes. Describe.....

See attached Exhibit 3

\$8,134.00

Debtor 1 Orly Genger Case number (if known) 19-10926

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No

☒ Yes. Describe..... See attached Exhibit 4

\$5,543.00

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☒ No

☐ Yes. Describe.....

14. Any other personal and household items you did not already list, including any health aids you did not list

☒ No

☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write the number here.....



\$17,547.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☐ No

☒ Yes..... Cash: \$20.00

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☒ No

☐ Yes..... Institution name:

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☒ No

☐ Yes..... Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

☐ No

☒ Yes. Give specific information about them.....

Name of entity:

% of ownership:

Everything Important LLC

48%

\$0.00

OGJM Inc., an S corporation

50%

\$0.00

Debtor 1 Orly Genger Case number (if known) 19-10926

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.

Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

- ☒ No
☐ Yes. Give specific information about them..... Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

- ☐ No
☒ Yes. List each account separately. Type of account: Institution name:

IRA: IRA - Morgan Stanley \$8,282.00

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

- ☐ No
☒ Yes..... Institution name or individual:

Other: Retainer with Waller Lansden Dortch & Davis, LLP \$20,000.00

23. Annuities (A contract for a specific periodic payment of money to you, either for life or for a number of years)

- ☒ No
☐ Yes..... Issuer name and description:

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

- ☒ No
☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c)

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

- ☐ No
☒ Yes. Give specific information about them See continuation page(s). Unknown

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property;

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

- ☒ No
☐ Yes. Give specific information about them

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

- ☒ No
☐ Yes. Give specific information about them

Debtor 1 Orly Genger

Case number (if known) 19-10926

Money or property owed to you?

Current value of the
portion you own?
Do not deduct secured
claims or exemptions.

28. Tax refunds owed to you

- ☐ No
- ☒ Yes. Give specific information
about them, including whether
you already filed the returns
and the tax years.....

**Federal: Overpayment of 2017 tax elected to
carryforward toward 2018 tax liability,. Amt: \$8,325.00**

**State: Overpayment of 2017 tax elected to carryforward
toward 2018 tax liability for New York State. Amt:
\$2,109.00**

Federal: \$8,325.00

State: \$2,109.00

Local: \$0.00

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

- ☒ No
- ☐ Yes. Give specific information

Alimony: _____

Maintenance: _____

Support: _____

Divorce settlement: _____

Property settlement: _____

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

- ☒ No
- ☐ Yes. Give specific information

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

- ☐ No
- ☒ Yes. Name the insurance
company of each policy
and list its value.....

Company name:

Beneficiary:

Surrender or refund value:

UHC (Health)

Orly Genger (Family
Coverage)

\$0.00

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died

- ☒ No
- ☐ Yes. Give specific information

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

- ☐ No
- ☒ Yes. Describe each claim.....

See continuation page(s).

Unknown

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

- ☐ No
- ☒ Yes. Describe each claim.....

See continuation pages

Unknown

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- ☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Current value of the
portion you own?
Do not deduct secured
claims or exemptions.

47. Farm animals

Examples: Livestock, poultry, farm-raised fish

- ☒ No
☐ Yes....

48. Crops--either growing or harvested

- ☒ No
☐ Yes. Give specific
information.....

49. Farm and fishing equipment, implements, machinery, fixtures, and tools of trade

- ☒ No
☐ Yes....

50. Farm and fishing supplies, chemicals, and feed

- ☒ No
☐ Yes....

51. Any farm- and commercial fishing-related property you did not already list

- ☒ No
☐ Yes. Give specific
information.....

52. Add the dollar value of all of your entries from Part 6, including any entries for pages you have
attached for Part 6. Write that number here..... →

\$0.00

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

- ☒ No
☐ Yes. Give specific information.

54. Add the dollar value of all of your entries from Part 7. Write that number here..... →

\$0.00

Debtor 1 Orly Genger Case number (if known) 19-10926

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2.....	→	<u>\$0.00</u>
56. Part 2: Total vehicles, line 5	<u>\$0.00</u>	
57. Part 3: Total personal and household items, line 15	<u>\$17,547.00</u>	
58. Part 4: Total financial assets, line 36	<u>\$39,080.77</u>	
59. Part 5: Total business-related property, line 45	<u>\$0.00</u>	
60. Part 6: Total farm- and fishing-related property, line 52	<u>\$0.00</u>	
61. Part 7: Total other property not listed, line 54	<u>+</u> <u>\$0.00</u>	
62. Total personal property. Add lines 56 through 61.....	<div style="border: 1px solid black; padding: 2px;"><u>\$56,627.77</u></div>	Copy personal property total → <u>+</u> <u>\$56,627.77</u>
63. Total of all property on Schedule A/B. Add line 55 + line 62.....		<div style="border: 2px solid black; padding: 2px;"><u>\$56,627.77</u></div>

Debtor 1 Orly Genger

Case number (if known) 19-10926

25. Trusts, equitable or future interests in property (details):

Beneficial Interest in The Orly Genger 2007 Family Trust	<u>Unknown</u>
Beneficial Interest in The Orly Genger 1993 Trust	<u>Unknown</u>
Beneficial Interest in The Arie Genger 1995 Life Insurance Trust	<u>Unknown</u>

33. Claims against third parties (details):

Claims against Sagi Genger and related or affiliated entities or transferees or individuals	<u>Unknown</u>
Claims against Dalia Genger and related or affiliated entities or transferees and Dalia Genger As Trustee	<u>Unknown</u>
Claims against Zeichner Ellman & Krause LP for legal malpractice	<u>Unknown</u>
Third party claims have been asserted by Sagi Genger in Dalia Genger v. Sagi Genger v. Orly Genger, Index No. 1:17cv8181, United States District Court, Southern District of New York (Debtor asserts that no claims by her exists in this action)	<u>Unknown</u>
Manhattan Safety Maine Inc. and Recovery Effort, Inc. vs. Michael Bowen, et al. Civil Action 19-5642, United States District Court, Southern District of New York (Debtor asserts no claims by her exists in this action).	<u>Unknown</u>
Recovery Effort, Inc. vs. Zeichner Ellman & Krause et al.; Case No. 19CV5641 United States District Court, Southern District of New York (Debtor asserts no claims by her exists in this action).	<u>Unknown</u>
*Captions of cases where claims have been asserted are attached to this supplement as Exhibit 5	<u>\$0.00</u>
Claims against past or present trustees to the Orly Genger 1993 Trust	<u>Unknown</u>
Claims against TPR Investment Associates, Inc.	<u>Unknown</u>
Claims against Robin Rodriguez	<u>Unknown</u>
Claims against Manhattan Safety Maine, Inc. and Recovery Effort, Inc.	<u>Unknown</u>
Claims against David Parnes	<u>Unknown</u>
Claims against D&K Limited Partnership	<u>Unknown</u>

35. Any financial assets you did not already list (details):

Morgan Stanley (expired check)	<u>\$191.43</u>
Vanguard (expired check)	<u>\$0.23</u>
Vanguard (expired check)	<u>\$153.11</u>

Fill in this information to identify your case:

Debtor 1	<u>Only</u>	<u>Genger</u>	
	First Name	Middle Name	Last Name
Debtor 2			
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>19-10926</u>		

☐ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

04/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions--such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds--may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? *Check one only, even if your spouse is filing with you.*

- ☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own	Amount of the exemption you claim	Specific laws that allow exemption
	Copy the value from <i>Schedule A/B</i>	Check only one box for each exemption	

Brief description: Condominium 1/2 undivided interest as separate property Line from <i>Schedule A/B</i> : <u>1.1</u>	<u>Unknown</u>	<input type="checkbox"/> <u> </u> <input checked="" type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code § 41.0021
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Brief description: See attached Exhibit 1 Line from <i>Schedule A/B</i> : <u>6</u>	<u>\$2,075.00</u>	<input type="checkbox"/> <u> </u> <input checked="" type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(1)
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Brief description: See attached Exhibit 2 Line from <i>Schedule A/B</i> : <u>7</u>	<u>\$795.00</u>	<input type="checkbox"/> <u> </u> <input checked="" type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(1)
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3. Are you claiming a homestead exemption of more than \$170,350?

(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)

- ☒ No
☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
☐ No
☐ Yes

Debtor 1 **Orly Genger**

Case number (if known) **19-10926**

Part 2: Additional Page

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own Copy the value from Schedule A/B	Amount of the exemption you claim Check only one box for each exemption	Specific laws that allow exemption
Brief description: Alfredo Jaar (chilean born 1956). Searching for Gramsci, 2004. Inkjet print with silkscreen text on paper, 22 x 30 in (55.9 x 76.2 cm) Line from Schedule A/B: <u>8</u>	<u>\$1,000.00</u>	<input type="checkbox"/> <input checked="" type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(1)
Brief description: See attached Exhibit 3 Line from Schedule A/B: <u>11</u>	<u>\$8,134.00</u>	<input type="checkbox"/> <input checked="" type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(5)
Brief description: See attached Exhibit 4 Line from Schedule A/B: <u>12</u>	<u>\$5,543.00</u>	<input type="checkbox"/> <input checked="" type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code §§ 42.001(a), 42.002(a)(6)
Brief description: IRA - Morgan Stanley Line from Schedule A/B: <u>21</u>	<u>\$8,282.00</u>	<input type="checkbox"/> <input checked="" type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Tex. Prop. Code § 42.0021

Fill in this information to identify your case:

Debtor 1	<u>Orly</u>		<u>Genger</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>19-10926</u>		

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

Column A Amount of claim Do not deduct the value of collateral	Column B Value of collateral that supports this claim	Column C Unsecured portion If any
---	--	--

2.1	Describe the property that secures the claim: Personal Property	\$5,451,389.27	*unknown	*unknown
Arie Genger Creditor's name <u>17001 Collins Ave., Apt. 2805</u> Number Street				
Sunny Isles FL 33160 City State ZIP Code				
Who owes the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt				
As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed				
Nature of lien. Check all that apply. <input checked="" type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset) Lien on personal property				
Date debt was incurred <u>2007-2019</u> Last 4 digits of account number _____				

*Value is speculative

Add the dollar value of your entries in Column A on this page. Write that number here:

\$5,451,389.27

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 1:

Additional Page

After listing any entries on this page, number them sequentially from the previous page.

Column A

Amount of claim
Do not deduct the value of collateral

Column B

Value of collateral that supports this claim

Column C

Unsecured portion If any

2.2

Describe the property that secures the claim:

\$2,301,399.48

*unknown

*unknown

Eric Herschmann

Creditor's name

210 Lavaca St., Unit 1903

Number Street

Contingent lien on Debtor's interest in condominium

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☒ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☒ Other (including a right to offset)

***Lien on condominium is only to extent determined not to be exempt**

Who owes the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☒ At least one of the debtors and another

☐ Check if this claim relates to a community debt

Date debt was incurred 12/30/2016 Last 4 digits of account number _____

*Value is speculative

**at least

Add the dollar value of your entries in Column A on this page. Write that number here:

\$2,301,399.48

If this is the last page of your form, add the dollar value totals from all pages. Write that number here:

\$7,752,788.75

Fill in this information to identify your case:

Debtor 1	<u>Only</u>	<u>Genger</u>
	First Name Middle Name	Last Name
Debtor 2 (Spouse, if filing)	First Name Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>		
Case number (if known)	<u>19-10926</u>	

☐ Check if this is an amended filing

Official Form 106E/F

Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Property* (Official Form 106A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 106G). Do not include any creditors with partially secured claims that are listed in *Schedule D: Creditors Who Hold Claims Secured by Property*. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. On the top of any additional pages, write your name and case number (if known).

Part 1: List All of Your PRIORITY Unsecured Claims

1. Do any creditors have priority unsecured claims against you?

- ☒ No. Go to Part 2.
☐ Yes.

2. List all of your priority unsecured claims. If a creditor has more than one priority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. If a claim has both priority and nonpriority amounts, list that claim here and show both priority and nonpriority amounts. As much as possible, list the claims in alphabetical order according to the creditor's name. If more space is needed for priority unsecured claims, fill out the Continuation Page of Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3.

(For an explanation of each type of claim, see the instructions for this form in the instruction booklet.)

	Total claim	Priority amount	Nonpriority amount
2.1			
Priority Creditor's Name	Last 4 digits of account number		
Number Street	When was the debt incurred?		
City State ZIP Code	As of the date you file, the claim is: Check all that apply.		
Who incurred the debt? Check one.	<input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed		
<input type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim is for a community debt	Type of PRIORITY unsecured claim: <input type="checkbox"/> Domestic support obligations <input type="checkbox"/> Taxes and certain other debts you owe the government <input type="checkbox"/> Claims for death or personal injury while you were intoxicated <input type="checkbox"/> Other. Specify		
Is the claim subject to offset?	<input type="checkbox"/> No <input type="checkbox"/> Yes		

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 2: List All of Your NONPRIORITY Unsecured Claims

3. Do any creditors have nonpriority unsecured claims against you?

- ☐ No. You have nothing to report in this part. Submit this form to the court with your other schedules.
☒ Yes

4. List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim.

If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If more space is needed for nonpriority unsecured claims, fill out the Continuation Page of Part 2.

Total claim

Unknown

4.1

D&K GP LLC

Nonpriority Creditor's Name

c/o Ira Tokayer, Esq.

Number Street

420 Lexington Ave.

New York

NY

10170

City State ZIP Code

Who incurred the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☒ Yes

Last 4 digits of account number _ _ _ _

When was the debt incurred? _ _ _ _

As of the date you file, the claim is: Check all that apply.

- ☒ Contingent
☒ Unliquidated
☒ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify

Services

Unknown

4.2

Dalia Genger

Nonpriority Creditor's Name

200 E. 65th St. 32w

Number Street

New York

NY

10021

City State ZIP Code

Who incurred the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☒ Yes

Last 4 digits of account number _ _ _ _

When was the debt incurred? _ _ _ _

As of the date you file, the claim is: Check all that apply.

- ☒ Contingent
☒ Unliquidated
☒ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify

Claims made

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 2: Your NONPRIORITY Unsecured Claims -- Continuation Page

After listing any entries on this page, number them sequentially from the previous page.

Total claim

4.3

\$1,457,751.00

Kasowitz, Benson, Torres LLP

Nonpriority Creditor's Name

Attn: Matthew Stein, Esq.

Number Street

1633 Broadway, 21st Floor

New York

NY

10019

City State ZIP Code

Who incurred the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☒ No
☐ Yes

4.4

\$750.00

Markel Surety

Nonpriority Creditor's Name

c/o Suretec Insurance Company

Number Street

5555 Garden Grove Blvd.

Suite 275

Westminster

CT

92687

City State ZIP Code

Who incurred the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☒ No
☐ Yes

Court Bond in the sum of \$10,000.00

4.5

Unknown

Orly Genger 1993 Trust

Nonpriority Creditor's Name

c/o Michael Oldner

Number Street

86 Pleasant Valley Dr.

#16

Little Rock

AK

72227

City State ZIP Code

Who incurred the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☒ Yes

Last 4 digits of account number 1 1 9 4

When was the debt incurred? 1/1/17-7/12/19

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify
Attorney Fees

Last 4 digits of account number _____

When was the debt incurred? 9/21/2017 - 2019

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify
Services

Last 4 digits of account number _____

When was the debt incurred? _____

As of the date you file, the claim is: Check all that apply.

- ☒ Contingent
☒ Unliquidated
☒ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify
Claims Asserted by Trust

Debtor 1 **Orly Genger**

Case number (if known) **19-10926**

Part 2: Your NONPRIORITY Unsecured Claims -- Continuation Page

After listing any entries on this page, number them sequentially from the previous page.

Total claim

4.6

\$3,219,693.00

Sagi Genger

Nonpriority Creditor's Name

c/o John Dellaportas

Number Street

Emmet, Marvin & Martin, LLP

120 Broadway, 32nd Floor

New York NY 10271

City State ZIP Code

Who incurred the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☒ Yes

4.7

Unknown

TPR Investment Associates Inc.

Nonpriority Creditor's Name

c/o John Dellaportas

Number Street

Emmet, Marvin & Martin, LLP

120 Broadway, 32nd Floor

New York NY 10271

City State ZIP Code

Who incurred the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☒ Yes

4.8

\$488,310.98

Zeichner Ellman & Krause LLP

Nonpriority Creditor's Name

1211 Avenue of the Americas

Number Street

40th Floor

New York NY 10036

City State ZIP Code

Who incurred the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☒ Yes

Last 4 digits of account number

When was the debt incurred?

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☒ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify

Judgment on appeal

Last 4 digits of account number

When was the debt incurred?

As of the date you file, the claim is: Check all that apply.

- ☒ Contingent
☒ Unliquidated
☒ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify

Claim

Last 4 digits of account number

When was the debt incurred?

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☒ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☒ Other. Specify

Attorney Fees

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 4: Add the Amounts for Each Type of Unsecured Claim

6. Total the amounts of certain types of unsecured claims. This information is for statistical reporting purposes only.
28 U.S.C. § 159. Add the amounts for each type of unsecured claim.

		Total claim
Total claims from Part 1	6a. Domestic support obligations	6a. <u>\$0.00</u>
	6b. Taxes and certain other debts you owe the government	6b. <u>\$0.00</u>
	6c. Claims for death or personal injury while you were intoxicated	6c. <u>\$0.00</u>
	6d. Other. Add all other priority unsecured claims. Write that amount here.	6d. + <u>\$0.00</u>
	6e. Total. Add lines 6a through 6d.	6d. <u>\$0.00</u>

		Total claim
Total claims from Part 2	6f. Student loans	6f. <u>\$0.00</u>
	6g. Obligations arising out of a separation agreement or divorce that you did not report as priority claims	6g. <u>\$0.00</u>
	6h. Debts to pension or profit-sharing plans, and other similar debts	6h. <u>\$0.00</u>
	6i. Other. Add all other nonpriority unsecured claims. Write that amount here.	6i. + <u>\$5,166,504.98</u>
	6j. Total. Add lines 6f through 6i.	6j. <u>\$5,166,504.98</u>

Fill in this information to identify your case:

Debtor 1	<u>Orly</u>		<u>Genger</u>
	First Name	Middle Name	Last Name
Debtor 2			
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>19-10926</u>		

☐ Check if this is an amended filing

Official Form 106G

Schedule G: Executory Contracts and Unexpired Leases

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the additional page, fill it out, number the entries, and attach it to this page. On the top of any additional pages, write your name and case number (if known).

1. Do you have any executory contracts or unexpired leases?

- ☒ No. Check this box and file this form with the court with your other schedules. You have nothing else to report on this form.
☐ Yes. Fill in all of the information below even if the contracts or leases are listed on *Schedule A/B: Property* (Official Form 106A/B).

2. List separately each person or company with whom you have the contract or lease. Then state what each contract or lease is for (for example, rent, vehicle lease, cell phone). See the instructions for this form in the instruction booklet for more examples of executory contracts and unexpired leases.

Person or company with whom you have the contract or lease

State what the contract or lease is for

Fill in this information to identify your case:

Debtor 1	<u>Orly</u>		<u>Genger</u>
	First Name	Middle Name	Last Name
Debtor 2			
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>19-10926</u>		

☐ Check if this is an amended filing

Official Form 106H

Schedule H: Your Codebtors

12/15

Codebtors are people or entities who are also liable for any debts you may have. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, and number the entries in the boxes on the left. Attach the Additional Page to this page. On the top of any Additional Pages, write your name and case number (if known). Answer every question.

- Do you have any codebtors? (If you are filing a joint case, do not list either spouse as a codebtor.)
☐ No
☒ Yes
- Within the last 8 years, have you lived in a community property state or territory? (Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)
☐ No. Go to line 3.
☒ Yes. Did your spouse, former spouse, or legal equivalent live with you at the time?
☐ No
☒ Yes
 In which community state or territory did you live? Texas Fill in the name and current address of that person.
Eric Herschmann
 Name of your spouse, former spouse, or legal equivalent
210 Lavaca St.
 Number Street
Unit 1903
Austin TX 78701
 City State ZIP Code
- In Column 1, list all of your codebtors. Do not include your spouse as a codebtor if your spouse is filing with you. List the person shown in line 2 again as a codebtor only if that person is a guarantor or cosigner. Make sure you have listed the creditor on Schedule D (Official Form 106D), Schedule E/F (Official Form 106E/F), or Schedule G (Official Form 106G). Use Schedule D, Schedule E/F, or Schedule G to fill out Column 2.

Column 1: Your codebtor

Column 2: The creditor to whom you owe the debt

Check all schedules that apply:

3.1 Arie Genger
 Name
17001 Collins Ave., Apt. 2805
 Number Street
Sunny Isles FL 33160
 City State ZIP Code

☒ Schedule D, line 2.2
☐ Schedule E/F, line _____
☐ Schedule G, line _____
Eric Herschmann

Fill in this information to identify your case:

Debtor 1	Only	Genger
	First Name Middle Name Last Name	
Debtor 2 (Spouse, if filing)	First Name Middle Name Last Name	
United States Bankruptcy Court for the: WESTERN DISTRICT OF TEXAS		
Case number (if known)	19-10926	

Check if this is:

- ☐ An amended filing
- ☐ A supplement showing postpetition chapter 13 income as of the following date:

MM / DD / YYYY

Official Form 106I

Schedule I: Your Income

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If you are separated and your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Employment

1. Fill in your employment information.

If you have more than one job, attach a separate page with information about additional employers.

Include part-time, seasonal, or self-employed work.

Occupation may include student or homemaker, if it applies.

Employment status

Occupation

Employer's name

Employer's address

Debtor 1

- ☐ Employed
☒ Not employed

Number Street

City

State Zip Code

How long employed there?

Debtor 2 or non-filing spouse

- ☒ Employed
☐ Not employed

Attorney

Kasowitz Benson Torres LLP

1633 Broadway, 21st Floor

Number Street

New York, NY 10019

City

State Zip Code

1996-present

Part 2: Give Details About Monthly Income

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write \$0 in the space. Include your non-filing spouse unless you are separated.

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

	For Debtor 1	For Debtor 2 or non-filing spouse
2. List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.	\$0.00	*
3. Estimate and list monthly overtime pay.	+	*
4. Calculate gross income. Add line 2 + line 3.	\$0.00	

Debtor 1 Orly Genger

Case number (if known) 19-10926

	For Debtor 1	For Debtor 2 or non-filing spouse
Copy line 4 here → 4.	<u>\$0.00</u>	*
5. List all payroll deductions:		
5a. Tax, Medicare, and Social Security deductions	5a. <u>\$0.00</u>	*
5b. Mandatory contributions for retirement plans	5b. <u>\$0.00</u>	*
5c. Voluntary contributions for retirement plans	5c. <u>\$0.00</u>	*
5d. Required repayments of retirement fund loans	5d. <u>\$0.00</u>	*
5e. Insurance	5e. <u>\$0.00</u>	*
5f. Domestic support obligations	5f. <u>\$0.00</u>	*
5g. Union dues	5g. <u>\$0.00</u>	*
5h. Other deductions. Specify: _____	5h. + <u>\$0.00</u>	*
6. Add the payroll deductions. Add lines 5a + 5b + 5c + 5d + 5e + 5f + 5g + 5h.	6. <u>\$0.00</u>	*
7. Calculate total monthly take-home pay. Subtract line 6 from line 4.	7. <u>\$0.00</u>	
8. List all other income regularly received:		
8a. Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.	8a. <u>\$0.00</u>	*
8b. Interest and dividends	8b. <u>\$0.00</u>	*
8c. Family support payments that you, a non-filing spouse, or a dependent regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.	8c. <u>\$0.00</u>	*
8d. Unemployment compensation	8d. <u>\$0.00</u>	*
8e. Social Security	8e. <u>\$0.00</u>	*
8f. Other government assistance that you regularly receive Include cash assistance and the value (if known) or any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify: _____	8f. <u>\$0.00</u>	*
8g. Pension or retirement income	8g. <u>\$0.00</u>	*
8h. Other monthly income. Specify: _____	8h. + <u>\$0.00</u>	*
9. Add all other income. Add lines 8a + 8b + 8c + 8d + 8e + 8f + 8g + 8h.	9. <u>\$0.00</u>	*
10. Calculate monthly income. Add line 7 + line 9. Add the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10. <u>\$0.00</u>	+ * = <u>\$0.00</u>
11. State all other regular contributions to the expenses that you list in Schedule J. Include contributions from an unmarried partner, members of your household, your dependents, your roommates, and other friends or relatives.		
Do not include any amounts already included in lines 2-10 or amounts that are not available to pay expenses listed in Schedule J.		
Specify: <u>Payment of on-going monthly expenses by non-filing spouse</u>	11. +	<u>\$8,366.57</u>
12. Add the amount in the last column of line 10 to the amount in line 11. The result is the combined monthly income. Write that amount on the Summary of Your Assets and Liabilities and Certain Statistical Information, if it applies.	12.	<u>\$8,366.57</u> Combined monthly income
13. Do you expect an increase or decrease within the year after you file this form? <input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. Explain: _____	None.	

Fill in this information to identify your case:

Debtor 1	<u>Only</u>	<u>Genger</u>
	First Name Middle Name Last Name	
Debtor 2 (Spouse, if filing)	First Name Middle Name Last Name	
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>		
Case number (if known)	<u>19-10926</u>	

Check if this is:

- ☐ An amended filing
☐ A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY

Official Form 106J

Schedule J: Your Expenses

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Your Household

1. Is this a joint case?

- ☒ No. Go to line 2.
☐ Yes. Does Debtor 2 live in a separate household?
☐ No
☐ Yes. Debtor 2 must file Official Form 106J-2, Expenses for Separate Household of Debtor 2.

2. Do you have dependents?

Do not list Debtor 1 and Debtor 2.

Do not state the dependents' names.

Dependent's relationship to Debtor 1 or Debtor 2	Dependent's age	Does dependent live with you?
<u>Daughter</u>	<u>2</u>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
		<input type="checkbox"/> No <input type="checkbox"/> Yes
		<input type="checkbox"/> No <input type="checkbox"/> Yes
		<input type="checkbox"/> No <input type="checkbox"/> Yes
		<input type="checkbox"/> No <input type="checkbox"/> Yes
		<input type="checkbox"/> No <input type="checkbox"/> Yes

3. Do your expenses include expenses of people other than yourself and your dependents?

- ☒ No
☐ Yes

Part 2: Estimate Your Ongoing Monthly Expenses

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental Schedule J, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on Schedule I: Your Income (Official Form 106I.)

4. The rental or home ownership expenses for your residence.
 Include first mortgage payments and any rent for the ground or lot.

If not included in line 4:

4a. Real estate taxes

4b. Property, homeowner's, or renter's insurance

4c. Home maintenance, repair, and upkeep expenses

4d. Homeowner's association or condominium dues

Your expenses

4. \$0.00
 (Unknown)

4a. \$2,021.73

4b. \$181.11

4c. \$450.00

4d. \$1,485.64

Debtor 1 Orly Genger

Case number (if known) 19-10926

Your expenses

5. Additional mortgage payments for your residence, such as home equity loans	5.	<u>\$0.00</u>
6. Utilities:		
6a. Electricity, heat, natural gas	6a.	<u>\$130.00</u>
6b. Water, sewer, garbage collection	6b.	<u>\$100.00</u>
6c. Telephone, cell phone, Internet, satellite, and cable services	6c.	<u>\$138.64</u>
6d. Other. Specify: _____	6d.	<u>\$0.00</u>
7. Food and housekeeping supplies	7.	<u>\$750.00</u>
8. Childcare and children's education costs	8.	<u>\$473.65</u>
9. Clothing, laundry, and dry cleaning	9.	<u>\$100.00</u>
10. Personal care products and services	10.	<u>\$100.00</u>
11. Medical and dental expenses	11.	<u>\$133.80</u>
12. Transportation. Include gas, maintenance, bus or train fare. Do not include car payments.	12.	_____
13. Entertainment, clubs, recreation, newspapers, magazines, and books	13.	<u>\$50.00</u>
14. Charitable contributions and religious donations	14.	<u>\$0.00</u>
15. Insurance. Do not include insurance deducted from your pay or included in lines 4 or 20.		
15a. Life insurance	15a.	<u>\$0.00</u>
15b. Health insurance	15b.	<u>\$2,252.00</u>
15c. Vehicle insurance	15c.	<u>\$0.00</u>
15d. Other insurance. Specify: _____	15d.	<u>\$0.00</u>
16. Taxes. Do not include taxes deducted from your pay or included in lines 4 or 20. Specify: _____	16.	<u>\$0.00</u>
17. Installment or lease payments:		
17a. Car payments for Vehicle 1	17a.	_____
17b. Car payments for Vehicle 2	17b.	_____
17c. Other. Specify: _____	17c.	_____
17d. Other. Specify: _____	17d.	_____
18. Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, Schedule I, Your Income (Official Form 106I).	18.	_____
19. Other payments you make to support others who do not live with you. Specify: _____	19.	_____
20. Other real property expenses not included in lines 4 or 5 of this form or on Schedule I: Your Income.		
20a. Mortgages on other property	20a.	_____
20b. Real estate taxes	20b.	_____
20c. Property, homeowner's, or renter's insurance	20c.	_____
20d. Maintenance, repair, and upkeep expenses	20d.	_____
20e. Homeowner's association or condominium dues	20e.	_____

Debtor 1 Orly Genger

Case number (if known) 19-10926

21. Other. Specify: _____ 21. + _____

22. Calculate your monthly expenses.

22a. Add lines 4 through 21.	22a.	<div style="border: 1px solid black; padding: 2px; text-align: right;">\$8,366.57</div>
22b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2.	22b.	<div style="border: 1px solid black; padding: 2px; text-align: right;"> </div>
22c. Add line 22a and 22b. The result is your monthly expenses.	22c.	<div style="border: 1px solid black; padding: 2px; text-align: right;">\$8,366.57</div>

23. Calculate your monthly net income.

23a. Copy line 12 (your combined monthly income) from Schedule I.	23a.	<div style="border: 1px solid black; padding: 2px; text-align: right;">\$8,366.57</div>
23b. Copy your monthly expenses from line 22c above.	23b.	<div style="border: 1px solid black; padding: 2px; text-align: right;">\$8,366.57</div>
23c. Subtract your monthly expenses from your monthly income. The result is your monthly net income.	23c.	<div style="border: 1px solid black; padding: 2px; text-align: right;">\$0.00</div>

24. Do you expect an increase or decrease in your expenses within the year after you file this form?

For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?

☒ No.

☐ Yes.

Explain here:

None.

Fill in this information to identify your case:

Debtor 1	Only	Genger	
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: WESTERN DISTRICT OF TEXAS			
Case number (if known)	19-10926		

☐ Check if this is an amended filing

Official Form 106Sum

Summary of Your Assets and Liabilities and Certain Statistical Information

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Fill out all of your schedules first; then complete the information on this form. If you are filing amended schedules after you file your original forms, you must fill out a new Summary and check the box at the top of this page.

Part 1: Summarize Your Assets

Your assets
Value of what you own

1. *Schedule A/B: Property* (Official Form 106A/B)
 - 1a. Copy line 55, Total real estate, from Schedule A/B..... **\$0.00**
 - 1b. Copy line 62, Total personal property, from Schedule A/B..... **\$56,627.77**
 - 1c. Copy line 63, Total of all property on Schedule A/B..... **\$56,627.77**

Part 2: Summarize Your Liabilities

Your liabilities
Amount you owe

2. *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 106D)
 - 2a. Copy the total you listed in Column A, Amount of claim, at the bottom of the last page of Part 1 of Schedule D..... **\$7,752,788.75**
3. *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 106E/F)
 - 3a. Copy the total claims from Part 1 (priority unsecured claims) from line 6e of Schedule E/F..... **\$0.00**
 - 3b. Copy the total claims from Part 2 (nonpriority unsecured claims) from line 6j of Schedule E/F..... + **\$5,166,504.98**

Your total liabilities

\$12,919,293.73

Part 3: Summarize Your Income and Expenses

4. *Schedule I: Your Income* (Official Form 106I)

Copy your combined monthly income from line 12 of Schedule I..... **\$8,366.57**
5. *Schedule J: Your Expenses* (Official Form 106J)

Copy your monthly expenses from line 22c of Schedule J..... **\$8,366.57**

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 4: Answer These Questions for Administrative and Statistical Records

6. Are you filing for bankruptcy under Chapters 7, 11, or 13?

- ☐ No. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.
☒ Yes

7. What kind of debt do you have?

- ☐ **Your debts are primarily consumer debts.** *Consumer debts* are those "incurred by an individual primarily for a personal, family, or household purpose." 11 U.S.C. § 101(8). Fill out lines 8-9g for statistical purposes. 28 U.S.C. § 159.
☒ **Your debts are not primarily consumer debts.** You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.

8. From the *Statement of Your Current Monthly Income*: Copy your total current monthly income from Official Form 122A-1 Line 11; **OR**, Form 122B Line 11; **OR**, Form 122C-1 Line 14.

9. Copy the following special categories of claims from Part 4, line 6 of *Schedule E/F*:

Total claim

From Part 4 on *Schedule E/F*, copy the following:

9a. Domestic support obligations. (Copy line 6a.)

9b. Taxes and certain other debts you owe the government. (Copy line 6b.)

9c. Claims for death or personal injury while you were intoxicated. (Copy line 6c.)

9d. Student loans. (Copy line 6f.)

9e. Obligations arising out of a separation agreement or divorce that you did not report as priority claims. (Copy line 6g.)

9f. Debts to pension or profit-sharing plans, and other similar debts. (Copy line 6h.)

+ _____

9g. **Total.** Add lines 9a through 9f.

Fill in this information to identify your case:

Debtor 1	<u>Orly</u>	<u>Genger</u>
	First Name	Middle Name Last Name
Debtor 2		
(Spouse, if filing)	First Name	Middle Name Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>		
Case number (if known)	<u>19-10926</u>	

☐ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

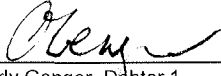
Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person _____ Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct. *subject to Global Notes attached.

X 
Orly Genger, Debtor 1

X _____
Signature of Debtor 2

Date 08/08/2019
MM / DD / YYYY

Date _____
MM / DD / YYYY

Fill in this information to identify your case:

Debtor 1	<u>Orly</u>	<u>Genger</u>
	First Name Middle Name Last Name	
Debtor 2 (Spouse, if filing)	First Name Middle Name Last Name	
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>		
Case number (if known)	<u>19-10926</u>	

☐ Check if this is an amended filing

Official Form 107

Statement of Financial Affairs for Individuals Filing for Bankruptcy

04/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Give Details About Your Marital Status and Where You Lived Before

1. What is your current marital status?

- ☒ Married
☐ Not married

2. During the last 3 years, have you lived anywhere other than where you live now?

- ☐ No
☒ Yes. List all of the places you lived in the last 3 years. Do not include where you live now.

Debtor 1:	Dates Debtor 1 lived there	Debtor 2:	Dates Debtor 2 lived there
		<input type="checkbox"/> Same as Debtor 1	<input type="checkbox"/> Same as Debtor 1
<u>Shim'on Rokah 35</u>	From <u>Various 9/16</u>		From _____
Number Street	To <u>2/19</u>	Number Street	To _____
<u>Tel Aviv 65148</u>			
<u>Israel</u>			
City State ZIP Code		City State ZIP Code	

3. Within the last 8 years, did you ever live with a spouse or legal equivalent in a community property state or territory?

(Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)

- ☐ No
☒ Yes. Make sure you fill out *Schedule H: Your Codebtors* (Official Form 106H).

Debtor 1 **Orly Genger**

Case number (if known) **19-10926**

Part 3: List Certain Payments You Made Before You Filed for Bankruptcy

6. Are either Debtor 1's or Debtor 2's debts primarily consumer debts?

- ☒ No. **Neither Debtor 1 nor Debtor 2 has primarily consumer debts.** *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$6,825* or more?

- ☒ No. Go to line 7.

- ☐ Yes. List below each creditor to whom you paid a total of \$6,825* or more in one or more payments and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case.

* Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.

- ☐ Yes. **Debtor 1 or Debtor 2 or both have primarily consumer debts.**

During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$600 or more?

- ☐ No. Go to line 7.

- ☐ Yes. List below each creditor to whom you paid a total of \$600 or more and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case.

7. Within 1 year before you filed for bankruptcy, did you make a payment on a debt you owed anyone who was an insider?

Insiders include your relatives; any general partners; relatives of any general partners; partnerships of which you are a general partner; corporations of which you are an officer, director, person in control, or owner of 20% or more of their voting securities; and any managing agent, including one for a business you operate as a sole proprietor. 11 U.S.C. § 101. Include payments for domestic support obligations such as child support and alimony.

- ☒ No

- ☐ Yes. List all payments to an insider.

8. Within 1 year before you filed for bankruptcy, did you make any payments or transfer any property on account of a debt that benefited an insider?

Include payments on debts guaranteed or cosigned by an insider.

- ☐ No

- ☒ Yes. List all payments that benefited an insider.

	Dates of payment	Total amount paid	Amount you still owe	Reason for this payment Include creditor's name
Eric Herschmann Insider's name 210 Lavaca St., Unit 1903 Number Street	September 2018	\$0.00	*\$2,301,394.88	Grant of contingent lien in real estate.
*at least				
Austin TX 78701 City State ZIP Code				
Arie Genger Insider's name 17001 Collins Ave., Apt. 2805 Number Street	8/3/18		\$5,451,389.27	Perfection of security interest in personal property
Sunny Isles FL 33160 City State ZIP Code				

Debtor 1 Orly Genger Case number (if known) 19-10926

Part 4: Identify Legal Actions, Repossessions, and Foreclosures

9. Within 1 year before you filed for bankruptcy, were you a party in any lawsuit, court action, or administrative proceeding?
List all such matters, including personal injury cases, small claims actions, divorces, collection suits, paternity actions, support or custody modifications, and contract disputes.

- ☐ No
☒ Yes. Fill in the details.

<p>Case title Orly Genger v. Sagi Genger</p> <p>Case number <u>100697/08</u></p>	<p>Nature of the case Fraud claim against Sagi Genger for taking interest in joint business venture.</p>	<p>Court or agency Supreme Court: New York County</p> <p>Court Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p>	<p>Status of the case</p> <p><input checked="" type="checkbox"/> Pending</p> <p><input type="checkbox"/> On appeal</p> <p><input type="checkbox"/> Concluded</p>
<p>Case title Orly Genger vs. Dalia Genger, Sagi Genger et al</p> <p>Case number <u>109749/09</u></p>	<p>Nature of the case Breach of fiduciary duty case against Sagi Genger related to a sham foreclosure of shares in a joint business venture.</p>	<p>Court or agency Supreme Court: New York County</p> <p>Court Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p>	<p>Status of the case</p> <p><input checked="" type="checkbox"/> Pending</p> <p><input checked="" type="checkbox"/> On appeal</p> <p><input type="checkbox"/> Concluded</p>
<p>Case title In the matter of Orly Genger for removal of Dalia Genger as Trustee</p> <p>Case number <u>0017/2008</u></p>	<p>Nature of the case Removal of Dalia Genger as Trustee of Debtor's Trust</p>	<p>Court or agency Surrogate's Court of the State of New York</p> <p>Court Name _____</p> <p>County of New York</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p>	<p>Status of the case</p> <p><input checked="" type="checkbox"/> Pending</p> <p><input type="checkbox"/> On appeal</p> <p><input type="checkbox"/> Concluded</p>
<p>Case title Dalia Genger v. Sagi Genger and Orly Genger</p> <p>Case number <u>18-2471-CV</u></p>	<p>Nature of the case Appeal of S.D.N.Y. case listed below (17-cv-8181)</p>	<p>Court or agency US Court of Appeals for the Second Circuit</p> <p>Court Name _____</p> <p>40 Foley Square</p> <p>Number _____ Street _____</p> <p>New York NY</p> <p>City _____ State _____ ZIP Code _____</p>	<p>Status of the case</p> <p><input checked="" type="checkbox"/> Pending</p> <p><input type="checkbox"/> On appeal</p> <p><input type="checkbox"/> Concluded</p>
<p>Case title Dalia Genger v. Sagi Genger v. Orly Genger</p> <p>Case number <u>1:17-CV-08181</u></p>	<p>Nature of the case Sagi Genger suing Orly Genger for indemnification for alleged demand support from Dalia Genger</p>	<p>Court or agency US District Court Southern District of New York</p> <p>Court Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p>	<p>Status of the case</p> <p><input checked="" type="checkbox"/> Pending</p> <p><input checked="" type="checkbox"/> On appeal</p> <p><input type="checkbox"/> Concluded</p>

Debtor 1 <u>Orly Genger</u>		Case number (if known) <u>19-10926</u>	
Case title In the matter of petition of Dalia Genger, as Trustee, to turnover property	Nature of the case Dalia Genger as Trustee of Orly Genger 1993 Trust seeking turnover of alleged property to trust	Court or agency Surrogate's Court of the State of New York	Status of the case <input checked="" type="checkbox"/> Pending <input type="checkbox"/> On appeal <input type="checkbox"/> Concluded
Case number <u>0017/2008/e</u>		Court Name Number Street City State ZIP Code	

10. Within 1 year before you filed for bankruptcy, was any of your property repossessed, foreclosed, garnished, attached, seized, or levied?

Check all that apply and fill in the details below.

- ☐ No. Go to line 11.
☒ Yes. Fill in the information below.

Sagi Genger Creditor's Name	Describe the property Invalid judgment lien asserted by Sagi Genger	Date	Value of the property
c/o John Dellaportas Number Street	Explain what happened <input type="checkbox"/> Property was repossessed. <input type="checkbox"/> Property was foreclosed. <input type="checkbox"/> Property was garnished. <input checked="" type="checkbox"/> Property was attached, seized, or levied.		
120 Broadway, 32nd Floor City State ZIP Code			

11. Within 90 days before you filed for bankruptcy, did any creditor, including a bank or financial institution, set off any amounts from your accounts or refuse to make a payment because you owed a debt?

- ☒ No
☐ Yes. Fill in the details.

12. Within 1 year before you filed for bankruptcy, was any of your property in the possession of an assignee for the benefit of creditors, a court-appointed receiver, a custodian, or another official?

- ☒ No
☐ Yes

Part 5: List Certain Gifts and Contributions

13. Within 2 years before you filed for bankruptcy, did you give any gifts with a total value of more than \$600 per person?

- ☒ No
☐ Yes. Fill in the details for each gift.

14. Within 2 years before you filed for bankruptcy, did you give any gifts or contributions with a total value of more than \$600 to any charity?

- ☒ No
☐ Yes. Fill in the details for each gift or contribution.

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 6: List Certain Losses

15. Within 1 year before you filed for bankruptcy or since you filed for bankruptcy, did you lose anything because of theft, fire, other disaster, or gambling?

- ☒ No
☐ Yes. Fill in the details.

Part 7: List Certain Payments or Transfers

16. Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone you consulted about seeking bankruptcy or preparing a bankruptcy petition?

Include any attorneys, bankruptcy petition preparers, or credit counseling agencies for services required for your bankruptcy.

- ☐ No
☒ Yes. Fill in the details.

Description and value of any property transferred	Date payment or transfer was made	Amount of payment
<u>Waller Lansden Dortch & Davis, LLP</u> Person Who Was Paid		
<u>Retainer</u>		
<u>100 Congress Avenue, 18th Floor</u> Number Street	<u>8/20/18</u>	<u>\$35,000.00</u>
	<u>8/21/2018</u>	<u>\$40,000.00</u>

Austin TX 78701
City State ZIP Code

Email or website address

Person Who Made the Payment, if Not You

17. Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone who promised to help you deal with your creditors or to make payments to your creditors?

Do not include any payment or transfer that you listed on line 16.

- ☒ No
☐ Yes. Fill in the details.

18. Within 2 years before you filed for bankruptcy, did you sell, trade, or otherwise transfer any property to anyone, other than property transferred in the ordinary course of your business or financial affairs?

Include both outright transfers and transfers made as security (such as granting of a security interest or mortgage on your property). Do not include gifts and transfers that you have already listed on this statement.

- ☐ No
☒ Yes. Fill in the details. **See above.**

19. Within 10 years before you filed for bankruptcy, did you transfer any property to a self-settled trust or similar device of which you are a beneficiary? (These are often called asset-protection devices.)

- ☐ No
☒ Yes. Fill in the details.

Name of trust The Orly Genger 2007 Family Trust	Description and value of the property transferred I sold my entire limited liability company member interest in Sugar Hill Property Fund IV LLC to the trust \$110,000	Date transfer was made <u>12/7/2015</u>
Name of trust The Orly Genger 2007 Family Trust	Description and value of the property transferred I sold a 6.67% limited liability company member interest in RDA Ventures LLC to the trust \$25,000	Date transfer was made <u>12/10/2015</u>

Debtor 1 **Orly Genger**

Case number (if known) **19-10926**

Part 8: List Certain Financial Accounts, Instruments, Safe Deposit Boxes, and Storage Units

20. Within 1 year before you filed for bankruptcy, were any financial accounts or instruments held in your name, or for your benefit, closed, sold, moved, or transferred?

Include checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, pension funds, cooperatives, associations, and other financial institutions.

- ☐ No
☒ Yes. Fill in the details.

Name of Financial Institution	Last 4 digits of account number	Type of account or instrument	Date account was closed, sold, moved, or transferred	Last balance before closing or transfer
Northern Trust Name of Financial Institution 40 West 57th St. Number Street New York NY 10019 City State ZIP Code	XXXX- <u>2</u> <u>7</u> <u>3</u> <u>1</u>	<input checked="" type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Money market <input type="checkbox"/> Brokerage <input type="checkbox"/> Other	<u>8/15/2018</u>	<u>\$9,434.56</u>
Vanguard Name of Financial Institution P.O. Box 2600 Number Street Valley Forge PA 19482 City State ZIP Code	XXXX- <u>0</u> <u>0</u> <u>3</u> <u>6</u>	<input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Money market <input checked="" type="checkbox"/> Brokerage <input type="checkbox"/> Other	<u>08/10/2018</u>	<u>\$62,302.94</u>
Vanguard Name of Financial Institution P.O. Box 2600 Number Street Valley Forge PA 19482 City State ZIP Code	XXXX- <u>5</u> <u>6</u> <u>7</u> <u>3</u>	<input type="checkbox"/> Checking <input type="checkbox"/> Savings <input checked="" type="checkbox"/> Money market <input type="checkbox"/> Brokerage <input type="checkbox"/> Other	<u>8/13/2018</u>	<u>\$0.23</u>
Morgan Stanley Name of Financial Institution 1585 Broadway Number Street New York NY 10036 City State ZIP Code	XXXX- <u>1</u> <u>5</u> <u>0</u> <u>0</u>	<input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Money market <input checked="" type="checkbox"/> Brokerage <input type="checkbox"/> Other	<u>8/10/2018</u>	<u>\$12,511.23</u>

Debtor 1 Orly Genger Case number (if known) 19-10926

21. Do you now have, or did you have within 1 year before you filed for bankruptcy, any safe deposit box or other depository for securities, cash, or other valuables?

- ☒ No
☐ Yes. Fill in the details.

22. Have you stored property in a storage unit or place other than your home within 1 year before you filed for bankruptcy?

- ☐ No
☒ Yes. Fill in the details.

Who else has or had access to it?		Describe the contents	Do you still have it?
Located in Israel and New Jersey		Alfredo Jaar painting and personal property with nominal value	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Name of Storage Facility			
Number Street			
City State ZIP Code			
Family members			
Name			
Number Street			
City State ZIP Code			

Part 9: Identify Property You Hold or Control for Someone Else

23. Do you hold or control any property that someone else owns? Include any property you borrowed from, are storing for, or hold in trust for someone.

- ☐ No
☒ Yes. Fill in the details.

Where is the property?	Describe the property	Value
Nily Dvora Genger 2005 Trust	Cash held by Orly Genger, Trustee for Nily Dvora Genger 2005 Trust	<u>\$100.53</u>
Owner's Name		
Number Street		
City State ZIP Code		
Morgan Stanley		
Number Street		
City State ZIP Code		
New York NY		
City State ZIP Code		
Gavriel Adir Genger 2006 Trust	Cash held by Orly Genger, Trustee for Gavriel Adir Genger 2006 Trust	<u>\$100.43</u>
Owner's Name		
Number Street		
City State ZIP Code		
Morgan Stanley		
Number Street		
City State ZIP Code		
New York NY		
City State ZIP Code		
Eitan Philip Genger Trust	Cash held by Orly Genger, Trustee for Eitan Philip Genger	<u>\$100.42</u>
Owner's Name		
Number Street		
City State ZIP Code		
Morgan Stanley		
Number Street		
City State ZIP Code		
New York NY		
City State ZIP Code		

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 10: Give Details About Environmental Information

For the purpose of Part 10, the following definitions apply:

- **Environmental law** means any federal, state, or local statute or regulation concerning pollution, contamination, releases of hazardous or toxic substance, wastes, or material into the air, land, soil, surface water, groundwater, or other medium, including statutes or regulations controlling the cleanup of these substances, wastes, or material.
- **Site** means any location, facility, or property as defined under any environmental law, whether you now own, operate, or utilize it or used to own, operate, or utilize it, including disposal sites.
- **Hazardous material** means anything an environmental law defines as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, contaminant, or similar item.

Report all notices, releases, and proceedings that you know about, regardless of when they occurred.

24. Has any governmental unit notified you that you may be liable or potentially liable under or in violation of an environmental law?

- ☒ No
☐ Yes. Fill in the details.

25. Have you notified any governmental unit of any release of hazardous material?

- ☒ No
☐ Yes. Fill in the details.

26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

- ☒ No
☐ Yes. Fill in the details.

Part 11: Give Details About Your Business or Connections to Any Business

27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business?

- ☐ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time
- ☒ A member of a limited liability company (LLC) or limited liability partnership (LLP)
- ☒ A partner in a partnership
- ☐ An officer, director, or managing executive of a corporation
- ☒ An owner of at least 5% of the voting or equity securities of a corporation

- ☐ No. None of the above applies. Go to Part 12.
☒ Yes. Check all that apply above and fill in the details below for each business.

<u>Subex LLC</u> Business Name	Describe the nature of the business <u>Holding Company</u>	Employer Identification number Do not include Social Security number or ITIN. EIN: <u>0</u> <u>6</u> - <u>1</u> <u>4</u> <u>6</u> <u>3</u> <u>6</u> <u>4</u> <u>5</u>
<u>c/o Holding Capital Group LLC</u> Number Street	Name of accountant or bookkeeper <u>Self prepared</u>	Dates business existed From <u>1996</u> To <u>2015</u>
<u>7 Ridgewood Dr.</u>		
<u>Bridgewater</u> <u>CT</u> <u>06752</u> City State ZIP Code	Describe the nature of the business <u>Art production</u>	Employer Identification number Do not include Social Security number or ITIN. EIN: <u>2</u> <u>6</u> - <u>1</u> <u>9</u> <u>1</u> <u>5</u> <u>0</u> <u>3</u> <u>6</u>
<u>Everything Important LLC</u> Business Name	Name of accountant or bookkeeper <u>William Fischer</u>	Dates business existed From <u>2/2008</u> To <u>Continuing</u>
<u>19111 Collins Ave.</u> Number Street		
<u>Apt. 706</u>		
<u>Sunny Isles</u> <u>FL</u> <u>33160</u> City State ZIP Code		

Debtor 1 Orly Genger

Case number (if known) 19-10926

OGJM Inc. Describe the nature of the business
Business Name Jewelry Production

5823 Dover St. Name of accountant or bookkeeper
Number Street Anthony Distefeno

Oakland CA 94609
City State ZIP Code

Sugar Hill Property Fund III LLC Describe the nature of the business
Business Name Real estate fund

c/o Sugar Hill Property Partners LLC Name of accountant or bookkeeper
Number Street CohnReznick
256 W. 116th St., 2nd Floor

New York NY 01002
City State ZIP Code

Angel Island PPE Fund LP Describe the nature of the business
Business Name Investment fund

230 California St. Name of accountant or bookkeeper
Number Street Bdousa LLP
Suite 520

San Francisco CA 94111
City State ZIP Code

COR IDF LLC Describe the nature of the business
Business Name Investment partnership

c/o RDA Ventures LLC Name of accountant or bookkeeper
Number Street Mazars USA LLP
104 W. 40th St., 19th Floor

New York NY 10018
City State ZIP Code

RDA Ventures LLC Describe the nature of the business
Business Name Investment partnership

104 W. 40th St., 19th Floor Name of accountant or bookkeeper
Number Street Mazars USA LLP

New York NY 10018
City State ZIP Code

Sugar Hill Property Fund IV, LLC Describe the nature of the business
Business Name Real estate fund

c/o Sugar Hill Property Partners LLC Name of accountant or bookkeeper
Number Street CohnReznick
256 W. 116th St., 2nd Floor

New York NY 10026
City State ZIP Code

Employer Identification number
Do not include Social Security number or ITIN.

EIN: 2 6 - 4 3 5 9 9 4 4

Dates business existed

From 2009 To Continuing

Employer Identification number
Do not include Social Security number or ITIN.

EIN: 4 5 - 4 6 1 2 8 7 0

Dates business existed

From 2012 To 2018

Employer Identification number
Do not include Social Security number or ITIN.

EIN: 9 0 - 0 8 3 5 7 1 3

Dates business existed

From 2012 To 2015

Employer Identification number
Do not include Social Security number or ITIN.

EIN: 4 6 - 0 8 6 2 2 6 0

Dates business existed

From 2013 To 2015

Employer Identification number
Do not include Social Security number or ITIN.

EIN: 1 1 - 3 5 2 9 5 5 5

Dates business existed

From 2014 To 2015

Employer Identification number
Do not include Social Security number or ITIN.

EIN: 4 6 - 3 4 3 3 6 8 2

Dates business existed

From 2014 To 2015

Debtor 1 Orly Genger

Case number (if known) 19-10926

AGOG Holdings LLC

Business Name

19111 Collins Ave., Apt. 706

Number Street

Sunny Isles Beach FL 33160

City State ZIP Code

Describe the nature of the business
Investments

Name of accountant or bookkeeper
William Fischer

Employer Identification number
Do not include Social Security number or ITIN.

EIN: 4 7 - 2 2 9 6 1 7 7

Dates business existed

From 2014 To 2017

TPR Investment Associates, Inc.

Business Name

c/o John Dellaportas, Esq.

Number Street

120 Broadway, 32nd Floor

New York NY 10271

City State ZIP Code

Describe the nature of the business

Name of accountant or bookkeeper

Employer Identification number
Do not include Social Security number or ITIN.

EIN: 1 3 - 3 5 0 6 4 6 4

Dates business existed

From 10/29/85 To _____

D&K Limited partnership

Business Name

c/o John Dellaportas, Esq.

Number Street

120 Broadway, 32nd Floor

New York NY 10271

City State ZIP Code

Describe the nature of the business

Name of accountant or bookkeeper

Employer Identification number
Do not include Social Security number or ITIN.

EIN: _____ - _____

Dates business existed

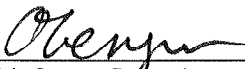
From 1/14/1994 To _____

28. Within 2 years before you filed for bankruptcy, did you give a financial statement to anyone about your business? Include all financial institutions, creditors, or other parties.

- ☒ No
☐ Yes. Fill in the details below.

Part 12: Sign Below

I have read the answers on this *Statement of Financial Affairs* and any attachments, and I declare under penalty of perjury that answers are true and correct. I understand that making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571. *Subject to Global Notes attached.

X 
Orly Genger, Debtor 1

X _____
Signature of Debtor 2

Date 08/08/2019

Date _____

Did you attach additional pages to *Your Statement of Financial Affairs for Individuals Filing for Bankruptcy* (Official Form 107)?

- ☒ No
☐ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out bankruptcy forms?

- ☒ No
☐ Yes. Name of person _____

Attach the *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

Fill in this information to identify your case:

Debtor 1	<u>Orly</u>		<u>Genger</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF TEXAS</u>			
Case number (if known)	<u>19-10926</u>		

☐ Check if this is an amended filing

Official Form 108

Statement of Intention for Individuals Filing Under Chapter 7

12/15

If you are an individual filing under chapter 7, you must fill out this form if:

- creditors have claims secured by your property, or
- you have leased personal property and the lease has not expired.

You must file this form with the court within 30 days after you file your bankruptcy petition or by the date set for the meeting of creditors, whichever is earlier, unless the court extends the time for cause. You must also send copies to the creditors and lessors you list on the form.

If two married people are filing together in a joint case, both are equally responsible for supplying correct information. Both debtors must sign and date the form.

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: List Your Creditors Who Hold Secured Claims

1. For any creditors that you listed in Part 1 of *Schedule D: Creditors Who Hold Claims Secured by Property* (Official Form 106D), fill in the information below.

Identify the creditor and the property that is collateral	What do you intend to do with the property that secures a debt?	Did you claim the property as exempt on Schedule C?
Creditor's name: Arie Genger	<input type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input checked="" type="checkbox"/> Retain the property and [explain]: Disposition to be determined	<input type="checkbox"/> No * <input type="checkbox"/> Yes
Description of property securing debt: Personal Property		
Creditor's name: Eric Herschmann	<input type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input checked="" type="checkbox"/> Retain the property and [explain]: Retain as allowed for condominium Disposition of remainder to be determined	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Description of property securing debt: Contingent lien on Debtor's interest in condominium		

*includes exempt and nonexempt property

Debtor 1 Orly Genger

Case number (if known) 19-10926

Part 2: List Your Unexpired Personal Property Leases

For any unexpired personal property lease that you listed in *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 106G), fill in the information below. Do not list real estate leases. *Unexpired leases* are leases that are still in effect; the lease period has not yet ended. You may assume an unexpired personal property lease if the trustee does not assume it. 11 U.S.C. § 365(p)(2).

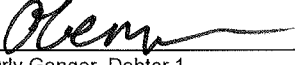
Describe your unexpired personal property leases

Will this lease be assumed?

None.

Part 3: Sign Below

Under penalty of perjury, I declare that I have indicated my intention about any property of my estate that secures a debt and personal property that is subject to an unexpired lease.

X 
Orly Genger, Debtor 1

X _____
Signature of Debtor 2

Date 08/08/2019
MM / DD / YYYY

Date _____
MM / DD / YYYY

EXHIBIT 1

HOUSEHOLD GOODS AND FURNISHINGS

Wool area rug 9x11'	\$125
Wool area rug 6x8'	\$100
Table lamp Bauhaus style	\$500
Eames chair and ottoman	\$600
3 Silver picture frames	\$60
Variety of picture frames	\$40
Carry-on suitcase roller bag	\$10
Suitcase	\$20
Silver candle sticks	\$50
Variety of soft cover books	\$50
Variety of hard cover books	\$350
Artforum magazines	\$25
Decorative boxes	\$25
Wooden hangers	\$40
Tupperware bins	\$20
Pillows and duvet	\$20
Variety of glass vases	\$40
	<hr/>
TOTAL	\$2,075

EXHIBIT 2

Electronics

Nixplay digital photo frame	\$95
Nixplay digital photo frame	\$95
Bose wired headphones	\$35
Bose Powerbeats 3 wireless	\$60
Canon camera	\$200
Video camera	\$50
iPad	\$50
Fitbit flex	\$20
Personal space heater	\$10
Digital photo printer	\$10
2 Extracompact Twinturbo 3500 Hair Dryer	\$140
Turbo power Twin Turbo 2600 Hair Dryer	\$25
Flat Iron	\$5
	<hr/>
	\$795

EXHIBIT 3

Clothing

27 Jeans	\$540
30 dresses	\$510
48 Tops and blouses	\$940
10 Jackets and vests	\$385
7 Coats	\$210
52 T-shirts	\$565
70 Underwear (Bras, underwear, socks)	\$384
22 sweaters	\$415
10 Swimwear	\$100
3 Jumpers	\$35
11 Skirts and pants	\$180
12 Wraps	\$350
18 Purses and bags	\$290
6 Boots	\$420
18 High heels	\$1,500
8 Sneakers	\$120
12 Sandals	\$430
8 Flip Flops	\$160
8 Sunglasses	\$320
14 Hats, scarves and gloves	\$280
Total	\$8,134

EXHIBIT 4

Jewelry

Total	\$5,543
--------------	----------------

Earrings

Black pearl and diamond earrings	\$30
Yellow gold and diamond hoop earrings	\$110
White gold channel set diamond hoops earrings	\$150
18kt white gold sapphire and diamond earrings	\$600
18kt yellow gold pave diamond earrings	\$200
Sapphire and diamond earrings	\$80
Sapphire and diamond earrings	\$30
Silver amethyst earrings	\$10
18kt yellow gold bezel set diamond earrings	\$650
Butterfly earrings costume	\$25
Oscar de La Renta star earrings	\$90
Metal earrings	\$5
Ben Amun earrings costume	\$20
Ben Amun earrings costume	\$20
Ben Amun earrings costume	\$20
White earrings costume	\$5
Gold plated drop down earrings	\$5
Gold plated drop down earrings	\$5
	<hr/>
	\$2,055

Necklaces

18kt white gold sapphire and diamond pendant necklace	\$325
Garnet beaded necklace	\$30
18kt yellow gold chain necklace	\$275
10 strand coin biwa pearl necklace	\$150
Amethyst multistrand necklace	\$150
Quartz multistrand necklace	\$150
Gold plated necklace with pendants	\$5
Gold plated necklace with pendants	\$5
Gold plated necklace with resin	\$5
W. Britt pendant necklace	\$20
Gold plated pendant necklace	\$5
33 rope necklaces (\$40 each)	\$1,320
	<hr/>
	\$2,440

Rings

Platinum wedding band ring	\$60
18kt white gold CZ ring	\$120
metal and resin ring	\$2
metal and resin ring	\$2
metal and resin ring	\$2
metal and resin ring	\$2
metal and resin ring	\$2
metal and resin ring	\$2
metal and resin ring	\$2
metal and resin ring	\$2
metal and resin ring	\$2
	<hr/>

\$198

Bracelets

Gold plated Celine bracelet	\$20
Gold colored cuff bracelet	\$5
40 rope bracelets (\$20 each)	\$800

\$825

Pins

Butterfly pin costume	\$25
-----------------------	------

\$25

EXHIBIT 5

Case 1:17-cv-08181-UA Document 4 Filed 10/24/17 Page 1 of 7

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DALIA GENDER,

Plaintiff,

v.

Index No. 1:17cv8181

SAGI GENDER,

Defendant/Third-Party Plaintiff,

v.

**ANSWER, AFFIRMATIVE
DEFENSE AND THIRD-
PARTY COMPLAINT**

ORLY GENDER,

Third-Party Defendant.

ANSWER

Defendant/Third-Party Plaintiff Sagi Gender (“Sagi”), by and through his attorneys, as and for his Answer to the Complaint of plaintiff Dalia Gender (“Dalia”), responds as follows:

1. Admits.
2. Admits.
3. Paragraph 3 states legal conclusions to which no answer is necessary.
4. Paragraph 4 states legal conclusions to which no answer is necessary.
5. Paragraph 5 states legal conclusions to which no answer is necessary.
6. Admits.
7. Admits.
8. Sagi respectfully refers to the decisions of this Court and the United States Court of Appeals for the Second Circuit in the prior litigation between himself and third-party defendant Orly Gender (“Orly”) for the true and correct contents thereof.
9. Admits.

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

File No. 0017/2008

In the Matter of the Application of ORLY
GENGER, as a person interested, for the
removal of DALIA GENGER, as Trustee of the
Orly Genger 1993 Trust pursuant to SCPA § 711(11)

**THIRD AMENDED VERIFIED PETITION FOR REMOVAL
OF DALIA GENGER AS TRUSTEE**

TO THE SURROGATE'S COURT, STATE OF NEW YORK
COUNTY OF NEW YORK

Petitioner, Orly Genger ("Petitioner" or "Orly"), by her attorneys, Platzer, Swergold, Karlin, Levine, Goldberg & Jaslow, LLP, respectfully alleges as her Third Amended Verified Petition (the "Third Amended Petition") for Removal of Dalia Genger as Trustee as follows:

1. Orly, domiciled at 780 Greenwich Street, Apartment #4P, New York, New York 10014, is the current and sole beneficiary of the Orly Genger 1993 Trust dated December 13, 1993 (the "Orly Trust"). Annexed hereto as **Exhibit "A"** is a copy of the Orly Trust.

2. Dalia Genger ("Dalia" or "Respondent"), residing at 200 East 65th Street, Apartment #32W, New York, New York 10021 is Orly's mother and is the current sole Trustee of the Orly Trust. Dalia was appointed successor Trustee in January, 2008.

3. The Orly Trust provides for discretionary payments of income and principal to Petitioner during her lifetime with the remainder to be distributed to her descendants, per stirpes. If Petitioner dies leaving no descendants, the remainder of the trust property is to be distributed to the Sagi Genger 1993 Trust (the "Sagi Trust"). Sagi Genger ("Sagi") is Orly's brother.

SUPREME COURT: NEW YORK COUNTY

ORLY GINGER,

Plaintiff,

- against -

SAGI GINGER,

Defendant.

Index No.:

VERIFIED COMPLAINT

03100007

Plaintiff Orly Genger, by her attorneys, Zeichner Ellman & Krause LLP, as
and for her Verified Complaint in this action alleges upon information and belief as
follows:

THE PARTIES, JURISDICTION AND VENUE

1. Plaintiff Orly Genger ("Plaintiff") is a resident of New York and resides at 1965 Broadway, Apt 22G, New York, New York. Plaintiff is an accomplished artist whose work is well-known, but who has no schooling in business or finance and little practical experience in those areas.

2. Defendant Sagi Genger ("Defendant") is a resident of the state of New York and resides at 1211 Park Avenue, New York, New York. Defendant is Plaintiff's older brother. Defendant holds an MBA in finance from The Wharton School, and has years of practical experience as a businessman, including serving as both the Chief Operating Officer and Chief Financial Officer of Lumenis, Ltd., a publicly traded

FILED

JAN 16 2008

NEW YORK
COUNTY CLERK'S OFFICE

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of

DALIA GINGER,
Trustee of the Orly Genger 1993 Trust,

Petitioner,

-against-

ORLY GINGER, ARIE GINGER, GLENCLOVA
INVESTMENT COMPANY, TR INVESTORS, LLC
NEW TR EQUITY I, LLC, NEW TR EQUITY II, LLC,
TRANS-RESOURCES, INC., ARNOLD BROSER,
DAVID BROSER, JOHN DOES. 1-20, and
JANE DOES 1-20,

Respondents,
-----X

TO THE SURROGATE'S COURT, COUNTY OF NEW YORK:

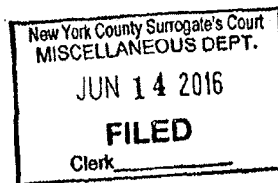
It is respectfully alleged:

The Parties

1. Petitioner, Dalia Genger, resides and is domiciled at 200 E. 65th Street, in the City of New York, County of New York and State of New York.
2. Petitioner is the Trustee of the Orly Genger 1993 Trust (the "Orly Trust").
3. Respondent Orly Genger ("Orly") is the only non-contingent beneficiary of the Orly Trust. The remaining respondents ("Respondents") are interested parties who wrongfully aided and abetted Orly in the misappropriation of Orly Trust assets.

Jurisdiction and Venue

4. This Court has subject matter jurisdiction pursuant to the Surrogate's Court Procedure Act, inter alia, SCPA 103(50), SCPA 207(1), and SCPA 209(6).



Index No. 2008-17

FILED: NEW YORK COUNTY CLERK 08/11/2010

NYSCEF DOC. NO. 83

INDEX NO. 109749/2009

RECEIVED NYSCEF: 08/11/2010

SUPREME COURT: NEW YORK COUNTY

ORLY GENDER in her individual capacity and on behalf of the Orly Genger 1993 Trust (both in its individual capacity and on behalf of D & K Limited Partnership),

Plaintiff,

- against -

DALIA GENDER, SAGI GENDER, LEAH FANG, D & K GP LLC, and TPR INVESTMENT ASSOCIATES, INC.,

Defendants.

Index No.: 109749/09

**SECOND AMENDED
VERIFIED COMPLAINT**

Plaintiff Orly Genger in her individual capacity and on behalf of the Orly Genger 1993 Trust (both in its individual capacity and on behalf of D & K Limited Partnership), by her attorneys, Zeichner Ellman & Krause LLP, alleges, upon information and belief, for her Second Amended Verified Complaint against the defendants in this action as follows:

NATURE OF THE ACTION

1. As described below, Dalia and Sagi Genger, together with various business entities controlled by them and Leah Fang, engaged in a fraud and conspiracy designed to completely loot the Orly Genger 1993 Trust (the "Orly Trust") of its value. The defendants' various acts of self-dealing, material misrepresentations, and material omissions, in breach of their respective fiduciary duties and in violation of New York law, injured Orly Genger, the Orly Trust, and D & K Limited Partnership.

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of the Petition of Dalia Genger, as Trustee of
the Orly Genger 1993 Trust, Created by Trust Agreement
Dated December 13, 1993 between ARIE Genger,
as Grantor, and LAWRENCE M. SMALL and
SASH A. SPENCER, as Trustees, to Turnover Property
o the Orly Genger 1993 Trust.

-----X
DALIA Genger,
Trustee of the Orly Genger 1993 Trust,

Petitioner,

-against-

Index No. 2008-0017/E

ORLY Genger, ARIE Genger, GLENCLOVA
INVESTMENT COMPANY, TR INVESTORS, LLC
NEW TR EQUITY I, LLC, NEW TR EQUITY II, LLC,
TRANS-RESOURCES, INC.
ARNOLD BROSER,
DAVID BROSER, JOHN DOES. 1-20, and
JANE DOES 1-20,

**AMENDED PETITION
FOR TURNOVER OF
TRUST PROPERTY
AND OTHER RELIEF**

Respondents,

-----X
TO THE SURROGATE'S COURT, COUNTY OF NEW YORK:

It is respectfully alleged:

The Parties

1. Petitioner, Dalia Genger, resides and is domiciled at 200 E. 65th Street, in the City of New York, County of New York and State of New York.
2. Petitioner is the Trustee of the Orly Genger 1993 Trust (the "Orly Trust").
3. Respondent Orly Genger ("Orly") is the only non-contingent beneficiary of the Orly Trust (in addition to her daughter Lily). The remaining respondents ("Respondents") are interested parties who wrongfully aided and abetted Orly in the misappropriation of Orly Trust